

7-13-04

1646



Docket No. 3875-4138US1

TFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David McKinnon and Jane Dixon

U.S. Serial No.: 09/786,108 Group Art Unit: 1646

Filed: June 18, 2001 Examiner: Michael D. Pak

International Application No.: PCT/US99/19902

I.A. Filing Date: August 31, 1999

Priority Date: August 31, 1998

For: Mammalian ELK Potassium Channel Genes

EXPRESS MAIL CERTIFICATE

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Date of Deposit: **July 12, 2004**

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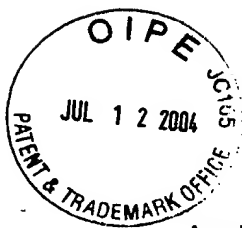
Susan Shen-Frattura

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(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile



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Mail Stop: Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is in response to the office action of June 25, 2004 for which a response is due on July 25, 2004.

The Examiner has imposed restriction of the claims to six groups:

- I. Claims 1, 4-7, 10-14, 21, 24-27, 32, 35-38 and 43-49 (each in part) drawn to polypeptides, polynucleotides, vectors, host cells, method of recombinant protein production, and method of identifying modulators of a slowly activated outward rectifier potassium channel.
- II Claims 2, 9, 15-17, 22, 28, 30, 33, 39, 41 and 43-47 (each in part) drawn to polypeptides, polynucleotides, vectors, host cells, method of recombinant protein production, and method of identifying modulators of a slowly activated outward rectifier potassium channel.

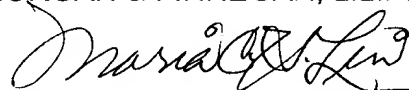
- III. Claims 3, 18, 20, 23, 29, 31, 34, 40, 42, and 43-47 (each in part) drawn to polypeptides, polynucleotides, vectors, host cells, method of recombinant protein production, and method of identifying modulators of a slowly activated outward rectifier potassium channel.
- IV. Claims 50 and 51 drawn to method of detecting elk1 in mammalian tissue.
- V. Claims 52-53 drawn to computer-simulated method of screening for mutations.
- VI. Claims 54-57 drawn to computer-simulated method of determining three dimensional structures.

Applicant elects the claims of Group I with traverse and without prejudice to the filing of divisional applications for the non-elected claims.

It is believed that no fees are due. However, should the Commissioner determine fees are due, the Commissioner is hereby authorized to charge any additional fees which may be required for the consideration of this response under 37 C.F.R, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3875-4138US1.

Dated: July 12, 2004

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.



Maria C.H. Lin
Registration No. 29,323

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800
212-415-8745
(212) 751-6849

Telephone
Direct Line
Facsimile